

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1062, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 4, between lines 30 and 31, begin a new paragraph and insert:
- 2 "SECTION 5. IC 36-2-13-5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 5. (a) The sheriff shall:
- 4 (1) arrest without process persons who commit an offense within
- 5 the sheriff's view, take them before a court of the county having
- 6 jurisdiction, and detain them in custody until the cause of the
- 7 arrest has been investigated;
- 8 (2) suppress breaches of the peace, calling the power of the
- 9 county to the sheriff's aid if necessary;
- 10 (3) pursue and jail felons;
- 11 (4) execute all process directed to the sheriff by legal authority;
- 12 (5) serve all process directed to the sheriff from a court or the
- 13 county executive;
- 14 (6) attend and preserve order in all courts of the county;
- 15 (7) take care of the county jail and the prisoners there;
- 16 (8) take photographs, fingerprints, and other identification data as
- 17 the sheriff shall prescribe of persons taken into custody for
- 18 felonies or misdemeanors; and
- 19 (9) on or before January 31 and June 30 of each year, provide to
- 20 the department of correction the average daily cost of
- 21 incarcerating a prisoner in the county jail as determined under the

1 methodology developed by the department of correction under
2 IC 11-10-13.

3 (b) A person who:

4 (1) refuses to be photographed;

5 (2) refuses to be fingerprinted;

6 (3) withholds information; or

7 (4) gives false information;

8 as prescribed in subsection (a)(8), commits a Class C misdemeanor.

9 **(c) The sheriff may supervise and inspect all pawnbrokers,**
10 **vendors, junkshop keepers, cartmen, expressmen, dealers in**
11 **secondhand merchandise, intelligence offices, and auctions. The**
12 **sheriff may authorize any deputy in writing to exercise the same**
13 **powers."**

14 Page 5, line 12, after "precinct", delete "," and insert "or district,".

15 Page 5, between lines 17 and 18, begin a new paragraph and insert:

16 "SECTION 7. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
17 **SECTION, "sentencing policy study committee" refers to the**
18 **committee established by P.L.216-2007, SECTION 56.**

19 **(b) The legislative council shall assign to the sentencing policy**
20 **study committee for study the topic of the theft of salvaged**
21 **material, including valuable metals and architectural salvage**
22 **material. The legislative council shall instruct the sentencing policy**
23 **study committee to specifically examine the effectiveness of**
24 **enforcement mechanisms in combating the theft of valuable metals,**
25 **architectural salvage materials, and other salvaged materials. The**
26 **sentencing policy study committee may examine any other issue**
27 **related the theft of salvaged material.**

28 (c) This SECTION expires November 1, 2008."

29 Renumber all SECTIONS consecutively.

(Reference is to HB 1062 as printed January 18, 2008.)

and when so amended that said bill do pass .

Committee Vote: Yeas 7, Nays 0.

Senator Steele, Chairperson